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Attorneys for Defendants
CITY OF MADERA, DORIAN LASSO, ROBERT
MAHONEY, and ANTHONY MARTINEZ

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LISA NOVAK and PATRICK NOVAK,
as the heirs and representative of the
decedent, Michael Robert Novak

Plaintiff,

v.

CITY OF MADERA, a municipal entity of
the State of California, DORIAN LASSO,
ROBERT MAHONEY, and ANTHONY
MARTINEZ and DOES 1 through 10
inclusive,

Defendants.

Case No. 1:20-cv-00301-DAD-SKO

**STIPULATION AND ORDER TO VACATE
SETTLEMENT CONFERENCE**

(Doc. 46)

Counsel for Plaintiffs LISA NOVAK and PATRICK NOVAK ("Plaintiffs") by and
through their attorneys Todd Emanuel and Michael Farbstein, and Defendants CITY OF
MADERA, DORIAN LASSO, ROBERT MAHONEY, and ANTHONY MARTINEZ
("Defendants"), by and through their attorneys, Patrick Moriarty and Dale Allen, stipulate as
follows:

1. On March 5, 2021, the Court set a settlement conference before Magistrate Judge
Sheila K. Oberto scheduled for January 27, 2022 (Dkt 17).

2. On October 1, 2021, Defendants filed a Motion for Summary Judgment or, in the
Alternative, Summary Adjudication, with a hearing date of November 2, 2021. (Dkt 30).

3. On October 4, 2021, the Court issued a minute order stating that the motion would be decided on the papers unless the Court determines that a hearing is necessary, at which point a hearing would be specially set. (Dkt 31).

4. Plaintiffs filed their opposition on November 19, 2021. (Dkt 36). Defendants filed their reply on December 14, 2021. (Dkt 42).

5. On January 5, 2022, the Court issued an order Vacating the Pretrial Conference set for March 7, 2022 pending the court's ruling on the pending motion for summary judgment. (Dkt 43.)

6. On January 5, 2022, the parties contacted Judge Oberto's chambers inquiring about re-scheduling the Settlement Conference. Judge Oberto's clerk informed the parties that her next availability would be May 2022.

7. On January 11, 2022, Judge Oberto issued an order resetting the settlement conference for May 24, 2022 at 10:30 a.m.

8. While parties are awaiting a ruling on Defendants' Motion for Summary Judgment and a Trial date, parties have agreed to vacate the Settlement Conference currently scheduled for May 24, 2022.

9. Parties agree to reschedule the Settlement Conference once a date for trial has been set.

IT IS SO STIPULATED, through counsel of record.

Respectfully submitted,

Dated: March 28, 2022

EMANUEL LAW GROUP

By: /s/ Todd P. Emanuel

TODD P. EMANUEL

Attorney for Plaintiffs

LISA NOVAK and PATRICK NOVAK, as
the heirs and representatives of the decedent,
Michael Robert Novak

Dated: March 28, 2022

ALLEN, GLAESSNER,
HAZELWOOD & WERTH, LLP

By: /s/ Patrick Moriarty
PATRICK MORIARTY
Attorneys for Defendants
CITY OF MADERA, DORIAN LASSO,
ROBERT MAHONEY, and ANTHONY
MARTINEZ

ORDER

Pursuant to the parties' foregoing stipulation (Doc. 46), and for good cause shown,

IT IS ORDERED that:

1. The settlement conference currently scheduled for May 24, 2022, before the Honorable Magistrate Judge Sheila K. Oberto is hereby VACATED, to be re-set after Defendants' pending motion for summary judgment (Doc. 30) is resolved; and

2. Following the ruling on the motion, parties SHALL meet and confer and file, within seven days of the ruling, a joint status report setting forth (1) the status of their settlement negotiations, and (2) three to four mutually agreeable dates for a settlement conference (the undersigned holds settlement conferences on Tuesdays and Thursdays at 10:00 a.m.).

IT IS SO ORDERED.

Dated: March 29, 2022

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP
180 Montgomery Street, Suite 1200
San Francisco, California 94104